Exhibit

1E

Exhibit E

Microsoft's Statement of Reservations

Microsoft provides its attached claim construction for each of the 30 "Mini-Markman" terms and phrases, subject to the limitations and reservations of rights set forth herein.

Claim Invalidity: Microsoft does not waive any defenses that the asserted claims fail to satisfy the provisions of 35 U.S.C. § 112, including, for example, the written description requirement, the definiteness requirement, or any other requirement for patentability. Microsoft does not concede that the asserted claims are supported by Plaintiffs original "big book" application or any application from which they purportedly claim priority. By offering a construction of a term, Microsoft does not waive any defense that the claim is indefinite and there can be no proper construction.

Continuing Discovery: Microsoft reserves the right to modify its claim constructions in light of ongoing claim construction discovery, in particular such discovery compelled by Judge James' Order of March 10, 2003. Microsoft reserves the right to modify or supplement its cited extrinsic evidence in light of information that is provided in continuing discovery on claim construction and indefiniteness.

Intrinsic Evidence: For the purposes of submission of this claim construction only, Microsoft treats the "intrinsic" evidence as including: 1) the specifications of each of the seven U.S. patents at issue in the "Mini-Markman" proceeding, including any material purportedly incorporated by reference therein; 2) the prosecution history of each of the seven patents at issue, including the applications and prosecution history of the seven patents and any related patent applications, including without limitation, applications purportedly incorporated by reference or to which an application claimed priority; and 3) all references cited in the prosecution of any such applications. Microsoft does so without waiving the right to contest whether some of this information is or is not properly part of the intrinsic evidence.